

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Impose a Modified Hiring Freeze in State Government

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the fiscal health of the State requires a streamlining of the state bureaucracy and immediate savings; and

Whereas, identifying savings from the hiring freeze must take place by May 2007; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Hiring freeze. All permanent, limited-period and project positions, funded completely or partly by the General Fund or the Highway Fund, that are vacant on the effective date of this Act or become vacant after that date within all executive, legislative and judicial branches must remain vacant except that up to 5% of the vacancies may be filled for each branch if authorization is received. Five percent of vacancies may be filled in the executive branch if authorized by the Governor, in the Legislature if authorized by the Legislative Council and in the judiciary if authorized by the Chief Justice of the Supreme Judicial Court. Any positions filled by appointment that require confirmation by the Legislature are excluded from the hiring freeze.

The State Budget Officer shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by May 15, 2007 specifying the savings in the General Fund and the Highway Fund that have resulted from the hiring freeze and proposing legislation for a modified extension of the hiring freeze for the 2008-2009 biennium allowing for a maximum of 50% of all vacancies to be filled. The Joint Standing Committee on Appropriations and Financial Affairs may submit legislation to achieve this purpose.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill requires any positions, funded wholly or partly by the General Fund or the Highway Fund, that are vacant on the effective date of this bill or become vacant after that date within the executive, legislative and judicial branches must remain unfilled. The only exceptions are any positions that require confirmation by the Legislature and up to 5% of vacancies within each branch of government that are approved to be filled by the head of that branch. The State Budget Officer must submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by May 15, 2007 detailing the savings achieved from the General Fund and the Highway Fund for 2007 and include proposed legislation that

extends the hiring freeze through the 2008-2009 biennium but allowing for a maximum of 50% of all vacancies to be filled. The Joint Standing Committee on Appropriations and Financial Affairs may submit legislation to achieve this purpose.